Resolution Approving Financing Terms

WHEREAS: The Town of Matthews (the "Town") has previously determined to undertake a project for the financing of a fire engine, (the "Project"), and the Town Manager has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

- 1. The Town hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated January 19, 2018. The amount financed shall not exceed \$550,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.58%, and the financing term shall not exceed five (5) years from closing.
- 2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
- 3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
- 4. The Town shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Town hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
- 5. The Town intends that the adoption of this resolution will be a declaration of the Town's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The Town intends that funds that have been advanced, or that may be advanced, from the Town's general fund, or any other Town fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 12th day of February, 2018

(Clerk) By:

SEAL

RESOLUTION ESTABLISHING THE TIME AND PLACE FOR THE REGULAR MEETING OF THE TOWN BOARD OF COMMISSIONERS OF THE TOWN OF MATTHEWS AND FURTHER ESTABLISHING ITS RULES OF PROCEDURE

WHEREAS, N.C.G.S. 160A-71 requires that the Town Council shall fix the time and place for its regular meeting and further provides that the Council may adopt its own rules of procedure; and

WHEREAS, N.C.G.S. Section 143-318.12 requires that a current copy of a Resolution establishing the Town Board's regular meetings, showing time and place, be kept on file with the Town Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, North Carolina, that beginning with January 2018 its regular meeting shall be held on the second and fourth Monday nights of each month at 7:00 P.M. at the Town Hall in Matthews, North Carolina; be it further RESOLVED, the meetings of the Board of Commissioners whether it be special or regular shall follow Roberts' Rules of Order and the Town Attorney shall act as parliamentarian; be it further RESOLVED, that the Agenda shall be prepared under the direction of the Mayor and, additionally, each Commissioner should he or she desire any business be placed on the Agenda shall so make a request to the Mayor; however, should the Mayor for whatever reason decline this request for a given Agenda, then the request by a second Commissioner shall make it mandatory that the item be placed on the given Agenda as required by the first Commissioner; be it further RESOLVED, that an item on each Agenda shall be designated as "Public Comment" intended to give citizens an opportunity to speak on any subject; speakers will be given up to four (4) minutes to speak unless the time period is changed by vote of the Board of Commissioners at that meeting; further this Public Comment item will be placed on the Agenda after "Items to be Added to the Agenda"; be it further RESOLVED, the necessity for a Board Closed Session will normally be listed on the Agenda when possible, however, if it is not possible, the individual Commissioner requesting the Closed Session shall contact all Board members, the Mayor, the Manager and the Attorney as time will allow; be it further RESOLVED, any Commissioner or the Mayor with just cause may request an item on the printed Agenda be deferred; it shall be the policy of the Board of Commissioners to defer the said requested Agenda item until the next regular meeting of Council, absent any compelling reason not to defer the item (normally absence of a Commissioner by itself is not just cause to have an item deferred); be it further RESOLVED, any item that needs to be added to an already printed Agenda will be announced at the beginning of each meeting, however, items to be added should only be added to the Agenda when time is a necessity; be it further RESOLVED, there is hereby established as a part of each Agenda as required an item to be designated as "Consent Agenda" and the items listed under the Consent Agenda will be voted on cumulatively in one motion unless a Board member requests to deal with any items on the Consent Agenda individually.

RESOLVED, this the 12th day of March 2018.

Mayor

ATTEST.



RESOLUTION IN SUPPORT OF AESTHETIC IMPROVEMENTS TO THE IDLEWILD ROAD ROUNDABOUT

WHEREAS, the North Carolina Department of Transportation (NCDOT) has constructed a roundabout at the intersection of NC 51 Matthews-Mint Hill Rd and Idlewild Rd at the Matthews Town limits; and

WHEREAS, Town staff worked in partnership with the Town of Mint Hill staff to develop landscaping and gateway signage concepts to improve the aesthetics of this entry point into the Town; and

WHEREAS, it is the desire of the Town to create gateways to establish a sense of arrival to the Town; and

WHEREAS, the Federal Highway Administration (FHWA) encourages landscaping in roundabouts to improve safety and restrict excessive sight distances; and

WHEREAS, the Town Board of Commissioners reviewed the proposed improvements at its November 13, 2017, meeting; and

WHEREAS, the Town Board of Commissioners unanimously approved a motion to direct staff to pursue the proposed design of the sign and landscaping with the NCDOT and allocated funds to install these features at its November 13. 2017 Board of Commissioners meeting.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Town of Matthews supports the proposed aesthetic improvements to the roundabout at Idlewild Rd and Matthews-Mint Hill Rd.

This the 12th day of March, 2018

Mayor Paul Bailey

Town Clerk Lori Canapinno

RESOLUTION ACCEPTING THE DEDICATION OF MCLEOD STREET CIRCLE

PURSUANT, to Article 15 of Chapter 160A of the General Statutes of North Carolina, the Board of Commissioners of the Town of Matthews hereby adopts this resolution to accept the dedication of McLeod Street Circle as same is dedicated in that certain plat showing CLUB VIEW ACRES ADDITION NO. 1 and recorded in Map Book 12 at Page 257 in the Mecklenburg County Public Registry, for all purposes allowed by law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, North Carolina, that it hereby accepts the dedication of McLeod Street Circle for public use for all purposes in which the law allows, including, but not limited to, sidewalk and public passage.

RESOLVED, this the 23rd day of April 2018.

Mayor

ATTEST:

RESOLUTION ACCEPTING THE DEDICATION OF MCLEOD STREET CIRCLE

PURSUANT, to Article 15 of Chapter 160A of the General Statutes of North Carolina, the Board of Commissioners of the Town of Matthews hereby adopts this resolution to accept the dedication of McLeod Street Circle as same is dedicated in that certain plat showing CLUB VIEW ACRES ADDITION NO. 1 and recorded in Map Book 12 at Page 257 in the Mecklenburg County Public Registry, for all purposes allowed by law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, North Carolina, that it hereby accepts the dedication of McLeod Street Circle for public use for all purposes in which the law allows, including, but not limited to, sidewalk and public passage.

RESOLVED, this the 23rd day of April 2018.

ATTEST:

Compression of the first the law allows, including, but not infinite to, sidewalk and public passage.

ATTEST:

Compression of April 2018.

Compression of April 2018.

Compression of April 2018.

Compression of April 2018.

CERTIFICATION

I, Lori Canapinno, Town Clerk of the Town of Matthews, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the Board of Commissioners of the Town of Matthews, North Carolina, in regular session convened on the 23rd day of April

2018, the reference having been made in Minute Book ________, Page _______, and recorded in full in Resolution Book _______, Page _______,

Lori Canapinno Town Clerk

| RESOL | LUTION | NO: | |
|-------|--------|-----|--|
| | | | |

A RESOLUTION ESTABLISHING AND IMPLEMENTING A PROGRAM TO CHARGE MITIGATION RATES FOR THE DEPLOYMENT OF EMERGENCY AND NON-EMERGENCY SERVICES PROVIDED/RENDERED FOR THE MATTHEWS FIRE & EMS DEPARTMENT.

WHEREAS, the emergency services response activity to incidents continues to increase each year; Environmental Protection requirements involving equipment and training, and Homeland Security regulations involving equipment and training, creating additional demands on all operational aspects of the fire department services; and

WHEREAS, the fire department has investigated different methods to maintain a high level of quality of emergency and non-emergency service capability throughout times of constantly increasing service demands, where maintaining an effective response by the fire department decreases the costs of incidents to insurance carriers, businesses, and individuals through timely and effective management of emergency situations, saving lives and reducing property and environmental damage; and

WHEREAS, raising real property tax to meet the increase in service demands would not be fair when the responsible party(s) should be held accountable for their actions; and

WHEREAS, the Board of the Matthews Fire & EMS desires to implement a fair and equitable procedure by which to collect said mitigation rates and shall establish a billing system in accordance with applicable laws, regulations and guidelines; Now, Therefore

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MATTHEWS:

SECTION 1: The Matthews Fire & EMS shall initiate mitigation rates for the delivery of emergency and non-emergency services by the fire department for personnel, supplies and equipment to the scene of emergency and non-emergency incidents as listed in "EXHIBIT A". The mitigation rates shall be based on actual costs of the services and that which is usual, customary and reasonable (UCR) as shown in "EXHIBIT A", which may include any services, personnel, supplies, and equipment and with baselines established by addendum to this document.

SECTION 2: A claim shall be filed to the responsible party(s) through their insurance carrier. In some circumstances, the responsible party(s) will be billed directly.

SECTION 3: The fire department's Board may make rules or regulations and from time to time may amend, revoke, or add rules and regulations, not consistent with this Section, as they may deem necessary or expedient in respect to billing for these mitigation rates or the collection thereof.

SECTION 4: It is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in open meetings of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal actions were in accordance with all legal requirements, and the Codified Resolutions of the Board.

SECTION 5: This resolution shall take effect at the date of adoption.

SECTION 6: Mitigation rates will only apply to persons who are not residents of Matthews, NC. Residents within the Matthews Fire & EMS boundaries currently subsidize these emergency service costs through their property taxes. Responses involving intoxicated drivers, hazmat clean-up, intentional and negligent acts or any act that violates any ordinance, local, state or federal statute may be subject to all applicable rates regardless of residency. For purposes of this section a resident is defined as: (a) any person who maintains his or her full time residence within the Matthews Fire & EMS service area; or (b) is the majority owner of a business that operates from real property owned by the business located within the Matthews Fire & EMS service area. (For purposes of this section a business includes any joint stock company, corporation, association, joint venture, limited liability company, club or partnership).

| Passed: whan woly | Signature |
|--------------------------|--|
| Approved | Malampuri) Signature |
| VOTE ON PASSAGE: 7 Yea | Nay Abstain |
| Attest: Mulanapano Clerk | |
| | voted upon and approved by a majority vote and I further certify the compliance with the |

Monderagain Socretary

EXHIBIT A

MITIGATION RATES BASED ON PER HOUR

The mitigation rates below are average "billing levels", and are typical for the incident responses listed, however, when a claim is submitted, it will be itemized and based on the actual services provided.

MOTOR VEHICLE INCIDENTS

Level 1 - \$487.00

Provide hazardous materials assessment and scene stabilization. This will be the most common "billing level". This occurs almost every time the fire department responds to an accident/incident.

Level 2 - \$554.00

Includes Level 1 services as well as clean up and material used (sorbents) for hazardous fluid clean up and disposal. We will bill at this level if the fire department has to clean up any gasoline or other automotive fluids that are spilled as a result of the accident/incident.

Level 3 - CAR FIRE - \$677.00

Provide scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, tip use, foam, structure protection, and clean up gasoline or other automotive fluids that are spilled as a result of the accident/incident.

ADD-ON SERVICES:

Extrication - \$1,461.00

Includes heavy rescue tools, ropes, airbags, cribbing etc. This charge will be added if the fire department has to free/remove anyone from the vehicle(s) using any equipment. We will not bill at this level if the patient is simply unconscious and fire department is able to open the door to access the patient. This level is to be billed only if equipment is deployed.

Creating a Landing Zone - \$448.00

Includes Air Care (multi-engine company response, mutual aid, helicopter). We will bill at this level any time a helicopter landing zone is created and/or is utilized to transport the patient(s).

Itemized Response: You have the option to bill each incident as an independent event with custom mitigation rates, for each incident using, itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus, per personnel, plus products and equipment used.

ADDITIONAL TIME ON-SCENE

Engine billed at \$448 per hour. Truck billed at \$560 per hour. Miscellaneous equipment billed at \$336.

HAZMAT

Level 1 - \$784.00

Basic Response: Claim will include engine response, first responder assignment, perimeter establishment, evacuations, set-up and command.

Level 2 - \$2,800.00

Intermediate Response: Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, set-up and command, Level A or B suit donning, breathing air and detection equipment. Set-up and removal of decon center.

Level 3 - \$6,608.00

Advanced Response: Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command, Level A or B suit donning, breathing air and detection equipment and robot deployment. Set-up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene. Includes 3 hours of on scene time - each additional hour @ \$336.00 per HAZMAT team.

ADDITIONAL TIME ON-SCENE (for all levels of service)

Engine billed at \$448 per hour.
Truck billed at \$560 per hour.
Miscellaneous equipment billed at \$336.

FIRES

Assignment - \$448.00 per hour, per engine / \$560.00 per hour, per truck

Includes:

- Scene Safety
- Investigation
- Fire / Hazard Control

This will be the most common "billing level". This occurs almost every time the fire department responds to an incident.

OPTIONAL: A fire department has the option to bill each fire as an independent event with custom mitigation rates.

Itemized, per person, at various pay levels and for itemized products use.

ILLEGAL FIRES

Assignment - \$448.00 per hour, per engine / \$560.00 per hour, per truck

When a fire is started by any person or persons that requires a fire department response during a time or season when fires are regulated or controlled by local or state rules, provisions or ordinances because of pollution or fire danger concerns, such person or persons will be liable for the fire department response at a cost not to exceed the actual expenses incurred by the fire department to respond and contain the fire. Similarly, if a fire is started where permits are required for such a fire and the permit was not obtained and the fire department is required to respond to contain the fire the responsible party will be liable for the response at a cost not to exceed the actual expenses incurred by the fire department. The actual expenses will include direct labor, equipment costs and any other costs that can be reasonably allocated to the cost of the response.

WATER INCIDENTS

Level 1

Basic Response: Claim will include engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command, scene safety and investigation (including possible patient contact, hazard control). This will be the most common "billing level". This occurs almost every time the fire department responds to a water incident.

Billed at \$448 plus \$56 per hour, per rescue person.

Level 2

Intermediate Response: Includes Level 1 services as well as clean up and material used (sorbents), minor hazardous clean up and disposal. We will bill at this level if the fire department has to clean up small amounts of gasoline or other fluids that are spilled as a result of the incident.

Billed at \$896 plus \$56 per hour, per rescue person.

Level 3

Advanced Response: Includes Level 1 and Level 2 services as well as D.A.R.T. activation, donning breathing apparatus and detection equipment. Set up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene.

Billed at \$2,240 plus \$56 per hour per rescue person, plus \$112 per hour per HAZMAT team member.

Level 4

Itemized Response: You have the option to bill each incident as an independent event with custom mitigation rates for each incident using itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized, per trained rescue person, plus rescue products used.

BACK COUNTRY OR SPECIAL RESCUE

Itemized Response: Each incident will be billed with custom mitigation rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus per hour, per trained rescue person per hour, plus rescue products used.

Minimum billed \$448 for the first response vehicle plus \$56 per rescue person. Additional rates of \$448 per hour per response vehicle and \$56 per hour per rescue person.

MISCELLANEOUS / ADDITIONAL TIME ON-SCENE

Engine billed at \$448 per hour. Truck billed at \$560 per hour. Miscellaneous equipment billed at \$336.

MITIGATION RATE NOTES

The mitigation rates above are average "billing levels", and are typical for the incident responses listed, however, when a claim is submitted, it will be itemized and based on the actual services provided.

These average mitigation rates were determined by itemizing costs for a typical run (from the time a fire apparatus leaves the station until it returns to the station) and are based on the actual costs, using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance) and labor rates (an average department's "actual personnel expense" and not just a firefighter's basic wage). The actual personnel expense includes costs such as wages, retirement, benefits, workers comp, insurance, etc.

RESOLUTION ADDING STREET TO THE TOWN'S STREET SYSTEM

PURSUANT, to Article 15 of Chapter 160A of the General Statutes of North Carolina, the Board of Commissioners of the Town of Matthews hereby adopts this resolution to add to the Town's street system Sports Parkway.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, North Carolina, that it hereby adds Sports Parkway to the Town's street system.

RESOLVED, this the 25-th day of _

2018.

Mayor

ATTEST:



RESOLUTION EXEMPTING THE TOWN OF MATTHEWS FROM QUALIFICATION-BASED SELECTION PROCESS

WHEREAS, North Carolina General Statute 143-64.31 requires the initial solicitation and evaluation of firms to perform architectural, engineering, surveying, construction management-at-risk services and design-build services to be based on qualifications and without regard to fee; and

WHEREAS, the Town proposes to enter into a contract for preliminary plans and cost estimates for modifications to Crestdale Road; and

WHEREAS, North Carolina General Statute 143-64.32 authorizes the Board of Commissioners to exempt contracts for design services from the qualifications-based selection requirements if the estimated fee is less than \$50,000; and

WHEREAS, the estimated fee for design services is less than \$50,000; and an exemption is appropriate.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners exempts itself from QBS selection of preliminary plans and cost estimates for modifications to Crestdale Road.

ADOPTED by the Board of Commissioners of the Town of Matthews this the 27th day of August 2018

Mayor Paul F. Bailey



RESOLUTION IN SUPPORT OF MARSY'S LAW FOR NORTH CAROLINA

WHEREAS, Marsy's Law for North Carolina and advocacy organizations statewide are dedicated to guaranteeing crime victims' rights and providing a voice; and

WHEREAS, Marsy's Law for North Carolina supporters agree victims should always be treated with fairness and respect throughout the criminal justice process, protected from the defendant, reasonably heard at public proceedings regarding their case, and given a voice through the process of the case; and

WHEREAS, per the Federal Bureau of Investigation's (FBI) most recent "Crime in the United States" report, in 2013 a total of 33,700 North Carolinians were the victim of violent "Index Crimes" including murder, rape, robbery, aggravated assault, burglary, larceny, motor vehicle theft and arson; and

WHEREAS, Marsy's Law for North Carolina will ensure that victims receive the same rights that are afforded to criminals and have rights to notification of release, hearings, appropriate restitution, and the right to speak during criminal proceedings; and

WHEREAS, crime victims' rights is a non-partisan, non-political issue, and Marsy's Law is a common-sense approach to ensuring victims' rights.

NOW THEREFORE, I, Mayor Paul F. Bailey and the Board of Commissioners of the Town of Matthews do hereby proclaim support for the Crime Victims' Bill of Rights (Marsy's Law) in and for the Town of Matthews, North Carolina and encourage our citizens to join in the commitment to protect the rights of North Carolina crime victims.

ADOPTED by the Board of Commissioners of the Town of Matthews this, the 8th day of October, 2018.

Mayor Paul F. Bailey



RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE A PORTION OF MT. HARMONY CHURCH ROAD AS IT INTERSECTS WITH STEVENS MILL ROAD IN THE TOWN OF MATTHEWS, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, the Town received a Petition to close a portion of Mt. Harmony Church Road in the Town of Matthews; and

WHEREAS, the portion of Mt. Harmony Church Road to be closed lies between the realigned Mt. Harmony Church Road on the East and Stevens Mill Road on the West, all as shown on a map marked "Exhibit A", and is more particularly described by metes and bounds in a document marked "Exhibit B", both of which are available for inspection in the Office of the Town Clerk, Town Hall, Matthews, North Carolina; and

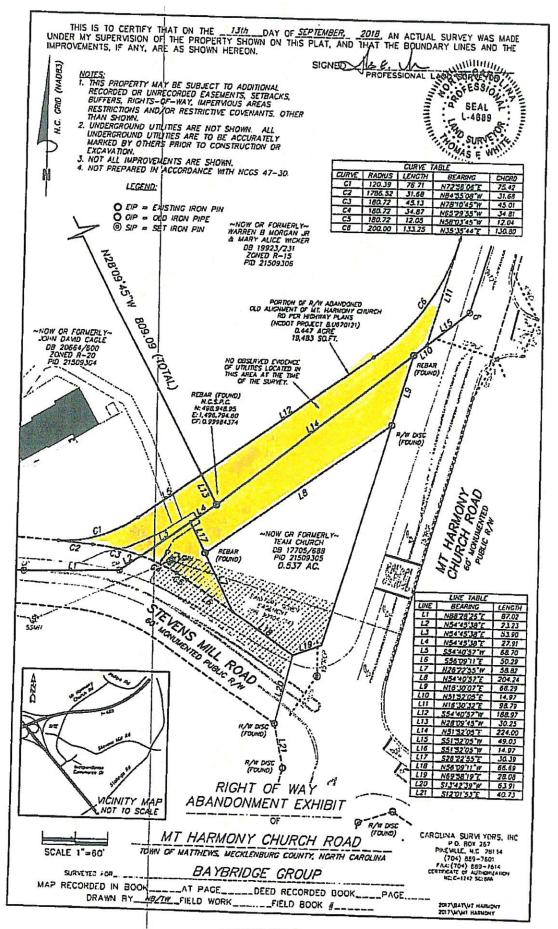
WHEREAS, the procedure for closing streets and alleys as outlined in North Carolina General Statutes, Section 160A-299, required that the Board first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said Statute further requires that the Resolution shall be published once a week for four successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places alongsaid street;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, at its regularly scheduled session of October 22, 2018, that it intends to close a portion of Mt. Harmony Church Road lying between the realigned Mt. Harmony Church Road and Stevens Mill Road, said portion of street being more particularly described on a map and by a metes and bound description available for inspection in the Town Clerk's Office, and hereby calls a public hearing on the question to be held at 7:00 p.m., on Monday, the 26th day of November 2018, at the Matthews Town Hall, 232 Matthews Station Street, Matthews, North Carolina 28105. The Town Clerk is hereby directed to publish a Notice of Public Hearing declaring an intent to abandon a portion of Mt. Harmony Church Road in a local newspaper once a week for four successive weeks next preceding the date fixed here for such hearing as required by N.C.G.S. 160A-299.

RESOLVED, this the 22nd day of October 2018/

Mayor

ATTEST:



Lying and being in the Town of Matthews, Mecklenburg County, North Carolina, and being more particularly described as follows: Commencing at an existing rebar, being the common corner of the property of John David Cagle (now or formerly) recorded in Deed Book 20664, Page 600, and the property of Warren B Morgan Jr & Mary Alice Wicker (now or formerly) recorded in Deed Book 19923, Page 231, and the property of Team Church (now or formerly) recorded in Deed Book 17705, Page 688, said rebar having North Carolina State Plane Coordinates of N:498,948.95, E:1,496,794.80 (NAD83, CF:0.99984374); thence with a bearing of N51°52'05"E and a distance of 224.00' to an existing rebar on the northwesterly margin of the right-of-way of Mt Harmony Church Road, being the point of BEGINNING; thence following the margin of said right-of-way with a bearing of S 16°30'07" W and a distance of 66.29' to an existing right-of-way disc; thence with a bearing of S 54°40'57" W and a distance of 204.24' to an existing rebar; thence with a bearing of S 26°22'55" E and a distance of 58.82' to a point on the northeasterly margin of the right-of-way of Stevens Mill Road; thence following the margin of said right-of-way five (5) calls: (1) with a bearing of N 56°09'11" W and a distance of 50.29' to a point; (2) with an Arc to the Left having a Radius of 180.72' and a Length of 12.05' and being Chorded by a bearing of N 58°03'45" W and a distance of 12.04' to a point; (3) with an Arc to the Left having a Radius of 180.72' and a Length of 34.87' and being Chorded by a bearing of N 65°29'55" W and a distance of 34.81' to a point; (4) with an Arc to the Left having a Radius of 180.72' and a Length of 45.13' and being Chorded by a bearing of N 78°10'45" W and a distance of 45.01' to a point; (5) with an Arc to the Left having a Radius of 1786.52' and a Length of 31.68' and being Chorded by a bearing of N 84°55'08" W and a distance of 31.68' to a point; thence with an Arc to the Left having a Radius of 120.39' and a Length of 76.71' and being Chorded by a bearing of N 72°56'06" E and a distance of 75.42' to a point; thence with a bearing of N 54°40'57" E and a distance of 68.70' to a point; thence with a bearing of N 54°40'57" E and a distance of 188.97' to a point; thence with an Arc to the Left having a Radius of 200.00' and a Length of 133.25' and being Chorded by a bearing of N 35°35'44" E and a distance of 130.80' to a point on the northwesterly margin of the right-of-way of Mt Harmony Church Road; thence following the margin of said right-of-way with a bearing of S 16°30'32" W and a distance of 98.79' to a point; thence continuing with the margin of said right-of-way with a bearing of S 51°52'05" W and a distance of 14.97' to an existing rebar; being the point of BEGINNING and containing 0.447 Acres, more or less, as shown on an exhibit by Carolina Surveyors, Inc.